

19 NOV 1986

US EPA RECORDS CENTER REGION 5



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5HR-11

Mr. Geoffrey K. Church
Church, Wilson & Paulen
Midwest Commerce Banking Company Building
Suite 402
121 West Franklin Street
Elkhart, Indiana 46516

Re: Freedom of Information Act
Request No. RIN 1328-86

Dear Mr. Church:

This is in response to your Freedom of Information Act (FOIA) request referenced above, concerning the Himco Waste-Away Service, Inc. site in Elkhart, Indiana.

Enclosed are the following documents in response to your request:

1. Notification of Hazardous Waste Site for Earthmovers, Inc. and Himco Waste-Away Service, Inc., dated June 9, 1981;
2. Preliminary Assessment (EPA Form 2070-12), dated February 15, 1984;
3. Site Inspection Report (EPA Form 2070-13), dated February 14, 1985;
4. Hydrologic and Chemical Evaluation of the Groundwater Resources of Northwest Elkhart County, Indiana, selected pages;
5. File provided by State of Indiana;
6. Title documents; and
7. Court Dockets, dated July 3, 1980 and October 22, 1982.

We are withholding the Hazard Ranking System (HRS) scoring package, including the Narrative Summary, Scoring Sheets, Documentation Records and supporting references. These documents are considered predecisional and are being withheld pursuant to 40 CFR, Part 2, Section 2.118(a)(5) which exempts from mandatory disclosure interagency and intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the Agency.

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If you wish to appeal this partial denial, you may do so by submitting such an appeal in writing to the Freedom of Information Act Officer (A-101), U.S. Environmental Protection Agency (U.S. EPA), 401 M Street, S.W., Washington, D.C. 20460, within thirty (30) days of receipt of this initial denial. Please refer to the date of this letter, my name, your Request Identification Number (RIN 1328-86), and whether any of the documents to which access was denied are not the subject of appeal.

Also, enclosed is a Bill for Collection in the amount of \$57.00. This bill covers charges for the photocopying and search time costs for this request. Mr. Alan Altur, of my staff, confirmed these charges with you on October 23, 1986. This bill cannot be waived in the event you return the material to the U.S. Environmental Protection Agency.

Please contact Mr. Altur at (312) 886-0390 if you have any questions or are in need of further assistance.

Sincerely yours,

Basil G. Constantelos, Director
Waste Management Division

Enclosures

bcc: R. Hartian, OPA
Team Leader, OPA
V. Franklin, ORC
M. Pearce, CES
S. Swales, CES
V. Smith, FMB